

**6:45 P.M. – Executive Session: City Solicitor and Mayor Mazarella regarding pending litigations.**

**7:40 P.M. – Interview with new appointee.**

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**MARCH 13, 2006**

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

**COMMUNICATIONS**

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| C-88 | Relative to the appropriation of \$15,000.00 to the Parking Meter Salary and Wages Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. (Finance) |
| C-89 | Relative to the appropriation of \$12,000.00 to the Parking Meter Expense Account; same to be transferred from the Parking Meter Receipts Reserved for Appropriation Account. (Finance)          |
| C-90 | Relative to the appropriation of \$500.00 to the Cemetery Expense Account; same to be transferred from the Manson D. Hawes Cemetery Trust Fund Income Account. (Finance)                         |
| C-91 | Relative to the appropriation of \$50,000.00 to the Fire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)                     |

**REGULAR MEETING OF THE CITY COUNCIL, continued****COMMUNICATIONS, continued**

- C-92           Relative to the appropriation of \$271,000.00 to the Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Reserved for Appropriation Account. (Finance)
- C-93           Relative to the appropriation of \$63,000.00 to the Highway Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-94           Relative to the appropriation of \$65,000.00 to the Police Department Expense Account; same to be transferred from the Police Department Salary and Wages Account. (Finance)
- C-95           Relative to the appropriation of \$35,000.00 to the Police Department Overtime Account; same to be transferred from the Police Department Salary and Wages Account. (Finance)
- C-96           Relative to the appropriation of \$2,000.00 to the Gallagher Building Overtime Account; same to be transferred from the Gallagher Building Revolving Fund. (Finance)
- C-97           Dean J. Mazzarella, Mayor: Request the authority to borrow, if necessary, up to \$600,000.00 for the purchase for open space and water supply protection purposes, 57+/- acres of land owned now or formerly by the Salvatore Realty Trust (Map 429, Lot 5) as shown on a plan of land to be recorded with the Worcester North Registry of Deeds; said property shall be dedicated in perpetuity to purposes stated in Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts including the protection of water resources and shall be fully protected by all provisions of Article 97. Furthermore, this property shall be open to the general public for appropriate outdoor/recreational use while consistent with 310 CMR 22.00; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow, if necessary, up to \$600,000.00, the receipt of any state and charitable grants and donations associated with this project will be deposited into the appropriate account; and that the Mayor is authorized to take any other action necessary to carry out these projects. (Finance)
- C-98           Dean J. Mazzarella, Mayor: Amend Chapter 16, Section 16-34, of the Revised Ordinances to change the classification of the Personnel Director, from an S-7 to an S-8, effective July 1, 2006 for the FY2007 budget. (Legal Affairs)

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**REGULAR MEETING OF THE CITY COUNCIL, continued****PETITIONS**

- 53-06 National Grid: Morton Street: Install one solely owned pole on Morton Street beginning at a point approximately 200 feet north of the intersection of Grand Street. (Public Service)
- 54-06 Scott Hyney: Grant a Special Permit to construct an addition to an existing dwelling at 39 Federal Circle as shown on Assessors Map 363, Lot 41, located in a rural residential zone in the water supply protection district. (Legal Affairs)
- 55-06 Maribel Fournier, Personnel Director: Amend Chapter 16, Section 16-34, of the Revised Ordinances to change the classification of the Building Inspector, from an S-7 to an S-8, effective July 1, 2006 for the FY2007 budget. (Legal Affairs)
- 56-06 Phillip McBain: Renew the license for two pool tables at Captain's Lounge, 1536 Main Street. (Ways & Means)
- 57-06 Kym Leblanc: Renew the license for one pool table at the Tankard, 13 Central Street. (Ways & Means)
- 58-06 Mark & Robyn Ellis: Renew the second hand dealers license to sell used power boats from the premises at Ellis Marine Supply Partnership, 646 Central Street. (Ways & Means)
- 59-06 Kathleen A. Violette: Grant a transient vendors license for April and May, 2006, for the sale of plants and flowers. (Ways & Means)

**APPOINTMENTS**

Fire Department – Permanent Firefighter – Jeffrey Vaillette

**MATTERS BEFORE THE CITY COUNCIL****APPOINTMENTS**

Fire Department - Permanent Firefighter – Seth Ryan Augat

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## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **FINANCE**

- C-87           Relative to the appropriation of \$20,000.00 to the Library Expense Account; same to be transferred from the Library Salary and Wages Account.

### **PUBLIC SERVICE**

- 41-06           Peter A. CampoBasso, Esquire, on behalf of James S. Whitney, President and Treasurer, J. Whitney Development, Inc.: Allow a sewer connection for land in Sterling, owned by J. Whitney Development, Inc., for a residential subdivision for homeownership, condominiums and apartment buildings.
- 45-06           Walter A. Fiore: Allow a sewer connection for land in Sterling, MA, owned by NMJ Realty Trust for a residential subdivision for homeownership, condominiums and apartment buildings.

### **WAYS & MEANS**

- 46-06           William Plant: Renew license for one pool table at J.C. Fenwicks Co., 37 Mechanic Street.
- 47-06           Aime Lemoine: Renew license for one pool table at Seven R's, d/b/a/ A & R'S Double Inn, 166 Water Street.
- 48-06           Albert Mason: Renew license for seven pool tables and 24 bowling alleys at Mason's Bowling Center, 640 North Main Street.
- 49-06           Rosairo Palermo: Renew license for one pool table at Foggia Hall, 153 Lancaster Street.
- 50-06           Leroy J. DiMauro: Renew second hand dealer's license for the premises located at 609 Main Street.
- 51-06           Fred R. Tousignant: Renew second hand dealer's license for the premises located at 92 Pleasant Street.
- 52-06           Claire Freda: Support a resolution regarding the uncapping of the lottery distribution to cities and towns according to the governor's budget. (Granted as an emergency measure on February 27, 2006; another vote is required)

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## **OLD BUSINESS**

2<sup>nd</sup> Reading Ordinance – amend Chapter 22 of the Revised Ordinances entitled “Zoning” by changing the Leominster Zoning Map, so that eight (8) parcels at 62-66 Spruce Street, currently zoned as Industrial and identified as Assessors Map 40, Lots, 1, 2, 3, 5, 6, 6A, 16 and 17, are located entirely within the Residence C zone. (Legal Affairs - #C-61)

## **NEW BUSINESS**

1<sup>st</sup> Reading Ordinance – amend Chapter 22 of the Revised Ordinances, entitled “Zoning” Article II, Use Regulations, Section 22-16 Generally Permitted Uses by deleting 16.9 in its entirety and adding in its place new Sections 16.9; 16.9.1 and 16.9.2 relative to the Use of Undeveloped (Vacant) Lots. (Legal Affairs - Petition #32-06)

## **TABLED PETITION UPON WHICH ACTION IS PROPOSED**

### **LEGAL AFFAIRS & PUBLIC SERVICE**

35-06 Christopher Grunditz: Request that Cedar Road, a paper street, be abandoned.

Lynn A. Bouchard  
City Clerk  
March 9, 2006